

32692

Customer Number

Patent
Case No.: 58961US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: ROSENPLANZ, ANATOLY Z.
Application No.: 10/666098 Confirmation No.: 8296
Filed: September 18, 2003
Title: CERAMICS COMPRISING Al_2O_3 , Y_2O_3 , ZrO_2 AND/OR HfO_2 , AND
 Nb_2O_5 AND/OR Ta_2O_5 AND METHODS OF MAKING THE SAME

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/>	deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
<input checked="" type="checkbox"/>	transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.
Date: June 5, 2006	Signed by: Jessica L. Nolan

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, MN, represents that it is the exclusive owner of the entire interest in the above-identified application (the "Subject Application") by virtue of an assignment recorded at Reel 014530, Frame 0461, on September 18, 2003. Petitioner further represents that it is the exclusive owner of the entire interest in a pending second Application No. 10/666,212, filed September 18, 2003, (the "Second Application") by virtue of an assignment recorded at Reel 014536, Frame 0033, on September 18, 2003. As used herein, "Subject Patent" refers to a patent granted on the Subject Application, and "Second Patent" refers to a patent granted on the Second Application.

Petitioner disclaims the terminal part of any Subject Patent which would extend beyond the expiration date of the full statutory term, as defined in 35 USC §§ 154 to 156 and 173 and as shortened by any terminal disclaimer filed prior to the grant of any Second Patent, of any Second Patent. Petitioner hereby agrees that any Subject Patent shall be enforceable only for and during

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such period that the legal title to such patent and any Second Patent are commonly owned. This agreement is to run with any Subject Patent and shall be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any Subject Patent that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154 to 156 and 173 of any Second Patent, as shortened by any terminal disclaimer filed prior to the grant of such Second Patent, in the event such Second Patent: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321 after grant; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to the grant of such Second Patent.

Documents establishing the chain of title of the Subject Application and of the Second Application (including the aforementioned assignments and recording locations) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 CFR § 1001 and that such willful false statements may jeopardize the validity of the Subject Application or any patent issuing thereon.

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Fees

☒ Please charge the fee provided in 37 CFR § 1.20(d) to Deposit Account No. 13-3723.
One copy of this sheet marked duplicate is also enclosed.

☐ Any required fee will be paid at the time of EFS-Web submission.
☐ If necessary, charge any required fee, or credit any overpayment to Deposit Account No. 13-3723.

Respectfully submitted,

Date

June 5, 2006By: 

Gregory D. Allen, Reg. No.: 35,048
Telephone No.: 651-736-0641

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

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